

JS 44 (Rev. 12/07, NJ 5/08)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

LEILAH GEIST

(b) County of Residence of First Listed Plaintiff _____

(c) Attorney's (Firm Name, Address, Telephone Number and Email Address)

Craig Thor Kimmel, Esquire
Kimmel & Silverman, P.C.
30 E. Butler Pike
Ambler, PA 19002
(215) 540-8888

DEFENDANTS

NCO FINANCIAL SYSTEMS, INC.

County of Residence of First Listed Defendant _____

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE
LAND INVOLVED.

Attorneys (If Known) _____

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff ☒ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | | | | | |
|---|--------------------------------|--------------------------------|---|--------------------------------|--------------------------------|
| Citizen of This State | PTF <input type="checkbox"/> 1 | DEF <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in This State | PTF <input type="checkbox"/> 4 | DEF <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus - Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395m) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input checked="" type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes

V. ORIGIN

(Place an "X" in One Box Only)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify) _____ ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

15 U.S.C. Section 1692

Brief description of cause:

Fair Debt Collection Practices Act

VII. REQUESTED IN COMPLAINT:
☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$ _____

CHECK YES only if demanded in complaint:
JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S)

(See instructions):

JUDGE _____

DOCKET NUMBER _____

Explanation:

12-15-10

DATE

SIGNATURE OF ATTORNEY OF RECORD

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF PENNSYLVANIA — DESIGNATION FORM to be used by counsel to indicate the category of the case for the purpose of assignment to appropriate calendar.

Address of Plaintiff: 3140 Melbourne, FL 32901

Address of Defendant: 501 Prudential Road, Hershman, PA 19044

Place of Accident, Incident or Transaction: _____

(Use Reverse Side For Additional Space)

Does this civil action involve a nongovernmental corporate party with any parent corporation and any publicly held corporation owning 10% or more of its stock?

(Attach two copies of the Disclosure Statement Form in accordance with Fed.R.Civ.P. 7.1(a))

Yes ☐ No ☒

Does this case involve multidistrict litigation possibilities?

Yes ☐ No ☒

RELATED CASE, IF ANY:

Case Number: _____ Judge _____ Date Terminated: _____

Civil cases are deemed related when yes is answered to any of the following questions:

1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court?

Yes ☐ No ☒

2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court?

Yes ☐ No ☒

3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action in this court?

Yes ☐ No ☒

4. Is this case a second or successive habeas corpus, social security appeal, or pro se civil rights case filed by the same individual?

Yes ☐ No ☒

CIVIL: (Place ☒ in ONE CATEGORY ONLY)

A. Federal Question Cases:

1. ☐ Indemnity Contract, Marine Contract, and All Other Contracts
2. ☐ FELA
3. ☐ Jones Act-Personal Injury
4. ☐ Antitrust
5. ☐ Patent
6. ☐ Labor-Management Relations

7. ☐ Civil Rights
8. ☐ Habeas Corpus
9. ☐ Securities Act(s) Cases
10. ☐ Social Security Review Cases

11. ☒ All other Federal Question Cases 15 U.S.C. 1692
(Please specify)

B. Diversity Jurisdiction Cases:

1. ☐ Insurance Contract and Other Contracts
2. ☐ Airplane Personal Injury
3. ☐ Assault, Defamation
4. ☐ Marine Personal Injury
5. ☐ Motor Vehicle Personal Injury
6. ☐ Other Personal Injury (Please specify)

7. ☐ Products Liability
8. ☐ Products Liability — Asbestos
9. ☐ All other Diversity Cases

(Please specify)

ARBITRATION CERTIFICATION

(Check Appropriate Category)

I, Craig Thor Kimmel, counsel of record do hereby certify:

☐ Pursuant to Local Civil Rule 53.2, Section 3(c)(2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs;

☐ Relief other than monetary damages is sought.

DATE: 12-15-10

Craig Thor Kimmel
Attorney-at-Law

57100
Attorney I.D.#

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

I certify that, to my knowledge, the within case is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: 12-15-10

Craig Thor Kimmel
Attorney-at-Law

57100
Attorney I.D.#

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CASE MANAGEMENT TRACK DESIGNATION FORM

Leilah Gerst

CIVIL ACTION

v.

NCO Financial Systems, Inc

NO.

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a Case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a Case Management Track Designation Form specifying the track to which that defendant believes the case should be assigned.

SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:

- (a) Habeas Corpus – Cases brought under 28 U.S.C. § 2241 through § 2255. ()
- (b) Social Security – Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits. ()
- (c) Arbitration – Cases required to be designated for arbitration under Local Civil Rule 53.2. ()
- (d) Asbestos – Cases involving claims for personal injury or property damage from exposure to asbestos. ()
- (e) Special Management – Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) ()
- (f) Standard Management – Cases that do not fall into any one of the other tracks. ☒

<p><u>12-15-10</u> Date</p>	<p><u>Gregory Thar Kimmel</u> Attorney-at-law</p>	<p><u>Leilah Gerst</u> Attorney for</p>
<p><u>215-540-8888</u> Telephone</p>	<p><u>877-788-2864</u> FAX Number</p>	<p><u>kimmel@creditlaw.com</u> E-Mail Address</p>

1 **UNITED STATES DISTRICT COURT**
2 **FOR THE**
3 **EASTERN DISTRICT OF PENNSYLVANIA**

4 LEILAH GEIST,
5 Plaintiff

6 v.

7 NCO FINANCIAL SYSTEMS, INC.,
8 Defendant

Case No.:

**COMPLAINT AND DEMAND FOR
JURY TRIAL**

(Unlawful Debt Collection Practices)

9
10 **COMPLAINT**

11 LEILAH GEIST ("Plaintiff"), by her attorneys, KIMMEL & SILVERMAN,
12 P.C., alleges the following against NCO FINANCIAL SYSTEMS, INC.
13 ("Defendant"):

14 **INTRODUCTION**

15
16 1. Plaintiff's Complaint is based on the Fair Debt Collection Practices
17 Act, 15 U.S.C. § 1692 *et seq.* ("FDCPA").

18 **JURISDICTION AND VENUE**

19
20 2. Jurisdiction of this court arises pursuant to 15 U.S.C. § 1692k(d),
21 which states that such actions may be brought and heard before "any appropriate
22 United States district court without regard to the amount in controversy," and 28
23 U.S.C. § 1331 grants this court original jurisdiction of all civil actions arising
24 under the laws of the United States.
25

1 3. Defendant conducts business and has an office in the Commonwealth
2 of Pennsylvania and therefore, personal jurisdiction is established.

3
4 4. Venue is proper pursuant to 28 U.S.C. § 1391(b)(1).

5 5. Declaratory relief is available pursuant to 28 U.S.C. §§ 2201 and
6 2202.

7
8 **PARTIES**

9 6. Plaintiff is a natural person residing in Melbourne, Florida.

10 7. Plaintiff is a "consumer" as that term is defined by 15 U.S.C. §
11 1692a(3).

12
13 8. Defendant is a national debt collection company with corporate
14 headquarters located at 507 Prudential Road in Horsham, Pennsylvania, 19044.

15 9. Defendant is a "debt collector" as that term is defined by 15 U.S.C. §
16 1692a(6), and repeatedly contacted Plaintiff in an attempt to collect a debt.

17
18 10. Defendant acted through its agents, employees, officers, members,
19 directors, heirs, successors, assigns, principals, trustees, sureties, subrogees,
20 representatives, and insurers.

21 **PRELIMINARY STATEMENT**

22
23 11. The Fair Debt Collection Practices Act ("FDCPA") is a
24 comprehensive statute, which prohibits a catalog of activities in connection with
25 the collection of debts by third parties. See 15 U.S.C. § 1692 *et seq.* The FDCPA

1 imposes civil liability on any person or entity that violates its provisions, and
2 establishes general standards of debt collector conduct, defines abuse, and provides
3 for specific consumer rights. 15 U.S.C. § 1692k. The operative provisions of the
4 FDCPA declare certain rights to be provided to or claimed by debtors, forbid
5 deceitful and misleading practices, prohibit harassing and abusive tactics, and
6 proscribe unfair or unconscionable conduct, both generally and in a specific list of
7 disapproved practices.
8
9

10 12. In particular, the FDCPA broadly enumerates several practices
11 considered contrary to its stated purpose, and forbids debt collectors from taking
12 such action. The substantive heart of the FDCPA lies in three broad prohibitions.
13 First, a "debt collector may not engage in any conduct the natural consequence of
14 which is to harass, oppress, or abuse any person in connection with the collection
15 of a debt." 15 U.S.C. § 1692d. Second, a "debt collector may not use any false,
16 deceptive, or misleading representation or means in connection with the collection
17 of any debt." 15 U.S.C. § 1692e. And third, a "debt collector may not use unfair
18 or unconscionable means to collect or attempt to collect any debt." 15 U.S.C. §
19 1692f. The FDCPA is designed to protect consumers from unscrupulous
20 collectors, whether or not there exists a valid debt, broadly prohibits unfair or
21 unconscionable collection methods, conduct which harasses, oppresses or abuses
22
23
24
25

1 any debtor, and any false, deceptive or misleading statements in connection with
2 the collection of a debt.

3
4 13. In enacting the FDCPA, the United States Congress found that
5 “[t]here is abundant evidence of the use of abusive, deceptive, and unfair debt
6 collection practices by many debt collectors,” which “contribute to the number of
7 personal bankruptcies, to marital instability, to the loss of jobs, and to invasions of
8 individual privacy.” 15 U.S.C. § 1692a. Congress additionally found existing
9 laws and procedures for redressing debt collection injuries to be inadequate to
10 protect consumers. 15 U.S.C. § 1692b.

11
12 14. Congress enacted the FDCPA to regulate the collection of consumer
13 debts by debt collectors. The express purposes of the FDCPA are to “eliminate
14 abusive debt collection practices by debt collectors, to insure that debt collectors
15 who refrain from using abusive debt collection practices are not competitively
16 disadvantaged, and to promote consistent State action to protect consumers against
17 debt collection abuses.” 15 U.S.C. § 1692e.
18
19
20

21 **FACTUAL ALLEGATIONS**

22
23 15. At all relevant times, Defendant was attempting to collect an alleged
24 consumer debt from Plaintiff.

25 16. The alleged debt at issue arose out of transactions, which were

1 primarily for personal, family, or household purposes.

2 17. Beginning in or around December 2009 and continuing through April
3 2010, Defendant, its agents, employees, and representatives, made continuous and
4 repeated telephone calls to Plaintiff in an attempt to collect a debt.
5

6 18. Defendant called Plaintiff's home telephone almost every day, and at
7 times, Defendant called Plaintiff more than two (2) times a day, causing her to
8 receive more than ten (10) collection calls a week.
9

10 19. When Defendant was unable to speak with Plaintiff, Defendant left
11 voice mail messages for Plaintiff on her home answering machine.
12

13 20. Defendant's repeated and continuous phone calls ultimately caused
14 Plaintiff to change her home telephone number.

15 21. In addition to calling Plaintiff on her home telephone in an attempt to
16 collect a debt, Defendant began contacting Plaintiff's cousin, JoAnn Fox ("Ms.
17 Fox").
18

19 22. Defendant disclosed debt information to Ms. Fox, including its case
20 number for the collection account.
21

22 23. Further, Defendant contacted Plaintiff's ex-husband in its attempts to
23 collect a debt from Plaintiff.

24 24. Also, Defendant contacted Plaintiff's son, Sean, in its attempts to
25 collect a debt from Plaintiff.

1 25. Defendant sent correspondence for Plaintiff to her son's address.

2 26. To date, Plaintiff has not received written notification from Defendant
3
4 advising her of her rights to dispute the debt or to request verification of the debt.

5 27. Further, Plaintiff has not received anything in writing from Defendant
6 providing her with the name of the original creditor or the amount of the debt it is
7 seeking to collect.

8 28. Upon information and belief, Defendant sought to collect a debt from
9 Plaintiff despite the fact that it had no knowledge of its validity.

10 29. Defendant's actions in attempting to collect the alleged debt were
11 harassing, abusive and highly deceptive.
12

13 **CONSTRUCTION OF APPLICABLE LAW**

14 30. The FDCPA is a strict liability statute. Taylor v. Perrin, Landry,
15 deLaunay & Durand, 103 F.3d 1232 (5th Cir. 1997). "Because the Act imposes
16 strict liability, a consumer need not show intentional conduct by the debt collector
17 to be entitled to damages." Russell v. Equifax A.R.S., 74 F. 3d 30 (2d Cir. 1996);
18 see also Gearing v. Check Brokerage Corp., 233 F.3d 469 (7th Cir. 2000) (holding
19 unintentional misrepresentation of debt collector's legal status violated FDCPA);
20 Clomon v. Jackson, 988 F. 2d 1314 (2d Cir. 1993).
21

22 31. The FDCPA is a remedial statute, and therefore must be construed
23 liberally in favor of the debtor. Sprinkle v. SB&C Ltd., 472 F. Supp. 2d 1235
24
25

1 (W.D. Wash. 2006). The remedial nature of the FDCPA requires that courts
2 interpret it liberally. Clark v. Capital Credit & Collection Services, Inc., 460 F. 3d
3 1162 (9th Cir. 2006). "Because the FDCPA, like the Truth in Lending Act (TILA)
4 15 U.S.C §1601 *et seq.*, is a remedial statute, it should be construed liberally in
5 favor of the consumer." Johnson v. Riddle, 305 F. 3d 1107 (10th Cir. 2002).

7 32. The FDCPA is to be interpreted in accordance with the "least
8 sophisticated" consumer standard. See Jeter v. Credit Bureau, Inc., 760 F.2d 1168
9 (11th Cir. 1985); Graziano v. Harrison, 950 F. 2d 107 (3rd Cir. 1991); Swanson v.
10 Southern Oregon Credit Service, Inc., 869 F.2d 1222 (9th Cir. 1988). The FDCPA
11 was not "made for the protection of experts, but for the public - that vast multitude
12 which includes the ignorant, the unthinking, and the credulous, and the fact that a
13 false statement may be obviously false to those who are trained and experienced
14 does not change its character, nor take away its power to deceive others less
15 experienced." Id. The least sophisticated consumer standard serves a dual
16 purpose in that it ensures protection of all consumers, even naive and trusting,
17 against deceptive collection practices, and protects collectors against liability for
18 bizarre or idiosyncratic interpretations of collection notices. Clomon, 988 F. 2d at
19 1318.
20
21
22
23
24
25

COUNT I
DEFENDANT VIOLATED THE
FAIR DEBT COLLECTION PRACTICES ACT

33. In its actions to collect a disputed debt, Defendant violated the FDCPA in one or more of the following ways:

- a. Defendant violated of the FDCPA generally;
- b. Defendant violated § 1692b(2) of the FDCPA by stating the Plaintiff owed a debt to another person;
- c. Defendant violated § 1692b(3) of the FDCPA by communicating with Plaintiff's ex-husband, son and cousin more than once about a debt alleged to be owed by Plaintiff;
- d. Defendant violated § 1692c(b) of the FDCPA by communicating with third parties about the debt alleged to be owed by Plaintiff without Plaintiff's prior consent;
- e. Defendant violated § 1692d of the FDCPA by harassing Plaintiff in connection with the collection of an alleged debt;
- f. Defendant violated § 1692d(5) of the FDCPA, when it caused the Plaintiff's telephone to ring repeatedly or continuously with the intent to harass, annoy or abuse Plaintiff;
- g. Defendant violated § 1692e of the FDCPA by using false,

1 deceptive, or misleading representations or means in connection
2 with the collection of a debt;

3
4 h. Defendant violated § 1692f of the FDCPA by using unfair and
5 unconscionable means to collect or attempt to collect a debt;

6 i. Defendant violated § 1692g of the FDCPA by failing to send
7 written notification, within five (5) days after its initial
8 communication with Plaintiff, advising Plaintiff of her rights to
9 dispute the debt or request verification of the debt;
10 j. Defendant acted in an otherwise deceptive, unfair and

11 unconscionable manner and failed to comply with the FDCPA.
12
13

14 WHEREFORE, Plaintiff, LEILAH GEIST, respectfully pray for a judgment as
15 follows:

- 16 a. All actual compensatory damages suffered pursuant to 15
17 U.S.C. § 1692k(a)(1);
18 b. Statutory damages of \$1,000.00 for violation of the FDCPA
19 pursuant to 15 U.S.C. § 1692k(a)(2)(A);
20 c. All reasonable attorneys' fees, witness fees, court costs and
21 other litigation costs incurred by Plaintiff pursuant to 15 U.S.C.
22 § 1693k(a)(3); and
23 d. Any other relief deemed appropriate by this Honorable Court.
24
25

DEMAND FOR JURY TRIAL

PLEASE TAKE NOTICE that Plaintiff, LEILAH GEIST, demands a jury trial in this case.

RESPECTFULLY SUBMITTED,

DATED: 12-15-10

KIMMEL & SILVERMAN, P.C.

By: 

Craig Thor Kimmel

Attorney ID # 57100

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